

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

PS – Education(SE)Department – Allegations of criminal misconduct against Sri **K.Venkatesh Chowdary**, H.M.(Retd.), M.P.Ele. School, Thimmapuram, Kambadur (M), Ananthapur District – Prosecution in the court of Addl.Spl.Judge for SPE&ACB cases, Hyderabad – Convicted in C.C.No.8/2002 – Withholding of Pension and Gratuity in full permanently – Orders – Issued.

EDUCATION [SE- Vig.I(1)] DEPARTMENT

G.O.Rt.No. 669.

Dated: 30. 11.2009.

Read the following:

1. Judgment dt.13.3.2007 of the Addl.Spl.Judge for SPE&ACB Cases, City Civil Court, Hyderabad, in C.C.No.8/2002.
2. From the DG,ACB, Lr.Rc.No.78/RCO-ATP/1999, dt.3.4.2007.
3. Interim orders of High Court dt.2.4.2007 in CrI.AM.P.No. 514/2007 in Criminal Appeal No.380/2007.
4. Govt.Memo.No.5797/Vig.I(1)/2007-11, dt.22.4.2009.
5. From Sri K.Venkatesh Chowdary, explanation dt.1.8.2009.
6. From the DEO, Ananthapur, Lr.Rc.No.354/A3-1/B1/2009, dt.12.11.2009.

ORDER:

Sri K.Venkatesh Chowdary, H.M.(Retd.), M.P.Ele. School, Thimmapuram, Kambadur (M), Ananthapur district, was found guilty for the offences under sections 13(1)(c) and 13(1)(d) r/w 13(2) of Prevention of Corruption Act,1988 and under Section 409 and 477-A read with Sec.34 IPC and he was convicted under Section 248(2) Cr.P.C. and sentenced to undergo Rigorous imprisonment for a period of one year and also to pay a fine of Rs.500/- in default to suffer S.I. for three months on each count for the offences punishable u/s 13(1)(c) r/w 13(2) of P.C.Act,1988, 13(1)(d) r/w 13(2) of P.C.Act,1988, u/s 409 IPC, u/s 477-A read with Sec.34 IPC ; and all the sentences were ordered to run concurrently, vide judgment 1st read above..

2. Sri K.Venkatesh Chowdary filed CrI.Appeal No.380/2007 in the High Court and the High Court in its order 3rd read above, suspended the sentence of imprisonment pending disposal of the appeal.

3. In the reference 4th read above, a show-cause notice has been issued to Sri K.Venkatesh Chowdary, H.M.(Retd.), as to why his Pension and Gratuity in full should not be withheld permanently, under Rule 9 of the A.P.Revised Pension Rules,1980, on the ground of conduct led to his conviction on criminal charge in C.C.No.8/2002.

4. In his explanation 5th read above, Sri K.Venkatesh Chowdary has stated that he was falsely implicated in the case and he has filed CrI.Appeal No.380/2007 dt.2.4.2007 and the High Court admitted the CrI.Appeal and he is confident that he prove his innocence in the High Court and requested not to stop pension and to do justice, etc.

5. After careful examination of the matter, Government have observed that the High Court has suspended the sentence alone, but not conviction ; and the suspension of sentence is no bar to the taking of the action. The misconduct established against Sri K.Venkatesh Chowdary, H.M.(Retd.), by his conviction on a criminal charge is a grave and calls for imposition of the penalty of withholding of Pension and Gratuity in full permanently, under Rule 9 of A.P.Revised Pension Rules,1980 ; and there are no reasonable grounds to consider his request and therefore decided to impose the penalty of withholding of Pension and Gratuity in full permanently, without waiting for outcome of Criminal Appeal filed by him.

(p.t.o.)

6. Accordingly, Government hereby impose the penalty of **“withholding of Pension and Gratuity in full permanently”** on Sri **K.Venkatesh Chowdary**, H.M.(Retd.), M.P.Ele. School, Thimmapuram, Kambadur (M), Ananthapur district, under Rule 9 of the A.P.Revised Pension Rules, 1980, on the ground of conduct led to his conviction on criminal charge in C.C.No.8/2002.

7. The Commissioner & Director of School Education, Hyderabad, shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SURESH CHANDA
SECRETARY TO GOVERNMENT (SE)

To

The individual through the Commissioner & Director of School Education, Hyderabad .
The Commissioner & Director of School Education, Hyderabad.

Copy to:

The District Educational Officer, Ananthapur.

The Accountant General, A.P., Hyderabad.

The Director of Treasuries & Accounts, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commissioner, APVC.

SF/SCs.

// FORWARDED : BY ORDER //

SECTION OFFICER